

**IN THE INCOME TAX APPELLATE TRIBUNAL
SURAT SMC BENCH, SURAT**

**BEFORE DR. B.R.R. KUMAR, VICE-PRESIDENT
AND MS. SUCHITRA KAMBLE, JUDICIAL MEMBER**

I.T.A. No. 758/SRT/2024
(Assessment Year: 2010-11)

Deepakkumar Nandlal Rajyaguru, 09, Sanskar Park Row House, Near Pragati Nagar Piplot, Surat PAN : AGFPR4373J	Vs.	The ITO, Ward-3(2)(6), Surat
(Appellant)	..	(Respondent)
Appellant by :	Shri Rajiv Chanda, C.A.	
Respondent by:	Ms. Namita Patel, Sr. D.R.	
Date of Hearing	19.01.2026	
Date of Pronouncement	23.01.2026	

ORDER

PER SUCHITRA KAMBLE, JUDICIAL MEMBER:-

This is an appeal filed against the order dated 13-05-2024 passed by National Faceless Appeal Centre (NFAC), Delhi for assessment year 2010-11.

2. The assessee made investment of Rs. 27,50,000/- i.e. ½ of Rs. 55,00,000/- in immovable property. The Assessing Officer reopened the case of the assessee on the basis of explaining the source of purchase of immovable property.

3. We find that the assessee explained the source of investment in immovable property through loan from 6 parties. The assessee has given the details of confirmation, lender's ITR as well as bank statements before the revenue authorities. At the

- 2-

time of hearing the Ld. AR pointed out that the assessee has made repayment of loan to three parties that are, Madhukanta Rajyaguru, Bhavnaben Rajyaguru, Nareshbhai Rajyaguru in Financial Year 2016-17. The evidence to that extent was reproduced before us. To establish the identity of the lenders the assessee has given all the details but the same was rejected by the CIT(A) and the Assessing Officer without giving any reasons. Thus, the assessee has proved the source of the investment before the revenue authorities which was not considered by the Assessing Officer at the time of the assessment proceedings. Therefore, the addition does not sustain.

3. In the result, the appeal of the assessee is allowed.

Order is pronounced in the open Court on 23.01.2026

Sd/-

Sd/-

(DR. B.R.R. KUMAR)
VICE-PRESIDENT

(SUCHITRA KAMBLE)
JUDICIAL MEMBER

Surat; Dated 23/01/2026

ak

आदेश की प्रतिलिपि अग्रेषित/**Copy of the Order forwarded to :**

1. अपीलार्थी / **The Appellant**
2. प्रत्यर्थी / **The Respondent.**
3. संबंधित आयकर आयुक्त / **Concerned CIT**
4. आयकर आयुक्त (अपील)/ **The CIT(A)-**
5. विभागीय प्रतिनिधि,अधिकरण अपीलीय आयकर ,/**DR,ITAT, Surat,**
6. गार्ड फाईल / **Guard file.**

आदेशानुसार/ **BY ORDER,**

सहायक पंजीकार (**Asstt. Registrar**)
आयकर अपीलीय अधिकरण
ITAT, Surat